HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 6141 of 2007

DATED: 29-03-2007

Between:

Smt Kasturi Devi

…Petitioner

and

The Municipal Corporation of Hyderabad, rep. by its Commissioner, Hyderabad and others

…Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 6141 of 2007

ORAL ORDER:

The petitioner challenges the action of the respondents 1 and 2 in proceeding to demolish the unaffected portion of the Mulgi bearing Municipal No. 23-6-954 situated at Charminar, Hyderabad in an extent of 3.105 Sq. yards, without following due process of law.

It is alleged that the respondents 1 and 2 have undertaken road widening leading from Chariminar to Falaknuma. The petitioner stated that she cooperated with the said road widening and some portion of her Mulgies was demolished in that process. While so, at the instance of the 3rd respondent, respondents 1 and 2 are now proceeding to demolish the remaining unaffected portion of the Mulgi of the petitioner for the purpose of road widening.

It is well settled that in case the respondents require any portion of the Mulgi of the petitioner for the purpose of road widening, they should follow due process of law.

For the aforesaid reasons, the writ petition is disposed of directing the respondents 1 and 2 not to demolish the premises of the petitioner without following the due process of law. There shall be no order as to costs.

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GODA RAGHURAM, J

29-03-2007
GRR